



Order Filed on July 29, 2020
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY
COURT
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9004-2(c)

Mester & Schwartz, P.C.
Jason Brett Schwartz, Esquire
Bar No. 4217
1917 Brown Street
Philadelphia, PA 19130
(267) 909-9036

In Re:

JORGE L. PAUTA and ENDA G.
FLORES,

Debtors,

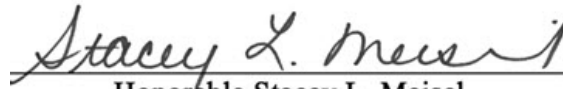
Case No.: 19-19962-SLM

Judge: Stacey L. Meisel

CONSENT ORDER MODIFYING STAY AS TO MOTOR VEHICLE
2014 CHRYSLER TOWN & COUNTRY WAGON TOURING

The relief set forth on the following pages, number two (2) through four (4) is hereby
ORDERED.

DATED: July 29, 2020


Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Debtors: Jorge L. Pauta and Edna G. Flores
Case No.: 19-19962-SLM
Caption of Order: Consent Order Modifying Stay as To Personal Property

1. The 11 U.S.C. § 362(a) Stay as to Capital One Auto Finance, a division of Capital One, N.A., its successors and/or assigns ("Movant"), with respect to the personal property of the Debtor described as a 2014 CHRYSLER Town & Country Wagon Touring, V.I.N. 2C4RC1BG5ER273317, in accordance with the agreement of the Debtors and Movant, is hereby modified and shall remain in effect PROVIDED THAT Debtors comply with the following terms and conditions:

(a) Debtors shall pay through the Chapter 13 Plan the post-petition arrears due through July 21, 2020 in the amount of \$2,873.42; and

(b) Debtors will resume making all future regular monthly installment payments of \$470.28 (subject to changes for taxes, insurance costs and late fees, if any) beginning on August 20, 2020; Debtors will timely make each payment in accordance with the terms and conditions of the loan document between Debtors and Movant.

2. Debtors will remain current on all payments ripe, due and owing under the terms of the Chapter 13 Plan. Debtors will pay Movant as an administrative expense through the Chapter 13 Plan the sum of \$306.00 for attorney's fees and costs.

3. The term "payment" as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.

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Debtors: Jorge L. Pauta and Edna G. Flores
Case No.: 19-19962-SLM
Caption of Order: Consent Order Modifying Stay as To Personal Property

4. Debtor will be in default under the Consent Order in the event that Debtors fail to comply with the payment terms and conditions set forth in Paragraph 1, *supra*. If Debtors fail to cure the default within thirty (30) days from the date of default, Movant may apply on five days' notice to Debtors and counsel for Debtors and the Chapter 13 Trustee for an order lifting the automatic stays imposed under 11 U.S.C. § 362(a) and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.

5. In the event Debtors convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtors shall pay all pre-petition arrears and post-petition arrears due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtor fails to make payments in accordance with this paragraph, then Movant, through counsel, may file a Certification of Default setting forth said failure and Movant shall be granted immediate relief from the automatic stay provision of Section 362 of the Bankruptcy Code (11 U.S.C. § 362) and the Movant is then permitted to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle.

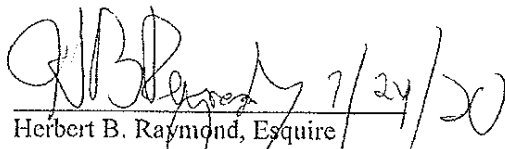
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Debtors: Jorge L. Pauta and Edna G. Flores
Case No.: 19-19962-SLM
Caption of Order: Consent Order Modifying Stay as To Personal Property

6. The failure of Movant to issue a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

7. Debtors waive the fourteen (14) day stay provided under Rule 4001(a)(3), F.R.B.P.

We hereby Consent to the form and entry of the foregoing Order.


Herbert B. Raymond, Esquire
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Suite 408, 4th Floor
East Orange, NJ 07017
Attorney for Debtors


Jason Brett Schwartz, Esquire
Mester & Schwartz, P.C.
1917 Brown Street
Philadelphia, PA 19130
Attorney for Capital One Auto Finance, a
division of Capital One, N.A.

Certificate of Notice Page 5 of 5

United States Bankruptcy Court
District of New JerseyIn re:
Jorge L Pauta
Edna G Flores
DebtorsCase No. 19-19962-SLM
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 01, 2020.

db/jdb +Jorge L Pauta, Edna G Flores, 149 Astor Street, 1st Floor, Newark, NJ 07114-2711

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 01, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 30, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor LAKEVIEW LOAN SERVICING LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Herbert B. Raymond on behalf of Debtor Jorge L Pauta herbertraymond@gmail.com, raymondmail@comcast.net;bankruptcyattorneys@comcast.net;herbertraymond@gmail.com;carbonell_c@hotmail.com;kdelyon.raymond@gmail.com;herbertraymond5967@yahoo.com;raymondlaw5622@gmail.com;courtemail789@gmail.com

Herbert B. Raymond on behalf of Joint Debtor Edna G Flores herbertraymond@gmail.com, raymondmail@comcast.net;bankruptcyattorneys@comcast.net;herbertraymond@gmail.com;carbonell_c@hotmail.com;kdelyon.raymond@gmail.com;herbertraymond5967@yahoo.com;raymondlaw5622@gmail.com;courtemail789@gmail.com

Jason Brett Schwartz on behalf of Creditor Capital One Auto Finance, a division of Capital One, N.A. jschwartz@mesterschwartz.com

Kevin Gordon McDonald on behalf of Creditor LAKEVIEW LOAN SERVICING LLC kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

Marie-Ann Greenberg magecf@magtrustee.com

Phillip Andrew Raymond on behalf of Creditor LAKEVIEW LOAN SERVICING LLC phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8